

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/835,482 04/08/97 RUBIN

A 002

HM22/0216

GILDO E FATO  
515 ASH STREET  
LIBERTYVILLE IL 60048

EXAMINER

SEIDLECK, B

ART UNIT	PAPER NUMBER
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1615

17

DATE MAILED:

02/16/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

**Notification of Non-Compliance with  
37 CFR 1.192(c)**

Application No. <b>08/835,482</b>	Applicant(s) <b>Rubin</b>
Examiner <b>Brian K. Seidleck</b>	Group Art Unit <b>1615</b>

The Appeal Brief filed on May 17, 1999 is defective for failure to comply with one or more provisions of 37 CFR 1.192(c). See MPEP § 1206.

Applicant is given a TIME LIMIT of ONE MONTH from the date of this letter or any time remaining in the period under 37 CFR 1.192(a) for filing a new complete brief. If a new brief that fully complies with 37 CFR 1.192(c) is not timely submitted, the appeal will be dismissed. The new complete brief must be filed IN TRIPPLICATE. See 37 CFR 1.192(a).

1.  The brief does not contain the items required under 37 CFR 1.192(c), or the items are not under the proper heading or in the proper order.
2.  The brief does not contain a statement of the status of all claims, pending or cancelled, or does not identify the appealed claims (37 CFR 1.192(c)(3)).
3.  At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 1.192(c)(4)).
4.  The brief does not contain a concise explanation of the claimed invention, referring to the specification by page and line number and to the drawing, if any, by reference characters (37 CFR 1.192(c)(5)).
5.  The brief does not contain a concise statement of the issues presented for review (37 CFR 1.192(c)(6)).
6.  A single ground of rejection has been applied to two or more claims in this application, and
  - a.  the brief omits the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet presents arguments in support thereof in the argument section of the brief.
  - b.  the brief includes the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet does not present arguments in support thereof in the argument section of the brief.
7.  The brief does not present an argument under a separate heading for each issue on appeal (37 CFR 1.192(c)(8)).
8.  The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 1.192(c)(9)).
9.  Other (including any explanation in support of the above items):

*See attached sheet.*

***Defective Appeal Brief***

1. Applicant has appointed an attorney or agent to conduct all business before the Patent and Trademark Office. Double correspondence with an applicant and applicant's attorney or agent will not be undertaken. Accordingly, applicant is required to conduct all future correspondence with this Office through the attorney or agent of record. See 37 CFR 1.33.
  
2. The appeal brief filed on 5/17/99 is defective because:  
  
The three copies of the brief required under 37 CFR 1.192(a) have not been submitted;  
  
The fee (\$150.00) required under 37 CFR 1.17(C) was not received; and  
  
The appeal brief filed on 5/17/99 is unsigned. 37 CFR 1.33. A ratification properly signed is required.
  
3. To avoid dismissal of the appeal, appellant must comply within the following TIME PERIODS: (1) ONE MONTH or THIRTY DAYS from the mailing of this communication. Extensions of these time periods may be granted under 37 CFR 1.136.

***Correspondence***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Brian K. Seidleck** whose telephone number is **(703) 305-4448**. The examiner can normally be reached **Monday through Friday from 7:00am to 4:00pm**.  
If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, **Thurman K. Page**, can be reached on **(703) 308-2927**. The official fax numbers for Technology Center 1600 are **(703) 305-3592** and **(703) 308-4556**. The unofficial fax number is **(703) 308-7921**.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. § 132 or which otherwise require a signature, may be used by the applicant and should be addressed to **[thurman.page@uspto.gov]**.

**All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of confidentiality requirements of U.S.C. § 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.**

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center receptionist** whose telephone number is **(703) 308-1235 or (703) 308-1234**.

Brian K. Seidleck  
Patent Examiner  
February 7, 2000

  
THURMAN K. PAGE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1600